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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	**No. M:06-cv-01791-VRW**
This Document Relates To: (1) All Actions Against the MCI and Verizon Defendants in the Master MCI and Verizon Consolidated Complaint, Dkt. 125; (2) *Chulsky* (MDL 06-06570); (3) *Bready* (MDL 06-06313); (4) *Riordan* (MDL 06-03574).	**NOTICE OF MOTION AND MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT BY THE UNITED STATES OF AMERICA** Judge: Hon. Vaughn R. Walker Courtroom 6 Date: June 21, 2007; 2:00 p.m.

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PLEASE TAKE NOTICE that, on June 21, 2007, before the Honorable Vaughn R. Walker, intervenor United States of America will move for an order dismissing this action, pursuant to Rules 12(b)(1) of the Federal Rules of Civil Procedure, or, in the alternative, for summary judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure. As explained in the United States' unclassified memorandum as well as the memorandum submitted *ex parte* and *in camera*, the United States' invocation of the military and state secrets privilege and of specified statutory privileges requires dismissal of this action, or, in the alternative, summary judgment in favor of the United States.

DATED: April 20, 2007

Respectfully Submitted,

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